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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR     | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|--------------------------|---------------------|------------------|
| 09/869,408      | 10/01/2001  | Francis Patrick Kleinitz | A70704DJBMAK        | 2608             |

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EXAMINER

KNOWLIN, THJUAN P

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2642

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |  |  |
|------------------------------|--------------------------------------|--|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>09/869,408 | <b>Applicant(s)</b><br>KLEINITZ ET AL. |  |
|                              | <b>Examiner</b><br>Thjuan P. Knowlin | <b>Art Unit</b><br>2642                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed on July 27, 2005 has been entered. Claims 1, 11, 27, 28, and 29 have been amended. No claims have been cancelled. No claims have been added. Claims 1-29 are still pending in this application, with claims 1, 11, 27, 28, and 29 being independent.

### ***Claim Rejections - 35 USC § 102***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Granberg et al (US 6,101,387).

1. In regards to claims 1, 11, 22, 23, 25, 26, and 29, Granberg discloses a call processing method and network system, including: receiving a user initiated communications call (See col. 1 lines 27-50 and col. 4-5 lines 66-21); processing characteristics data associated with a communications call at a network switch (See Fig. 1 and Mobile Switching Center 14) to determine if intelligent network (IN) service data is required to establish said call (See col. 1-2 lines 51-2, col. 3 lines 22-42, and col. 8 lines 5-19); passing said characteristic data to a network service data gateway (See Fig. 1 and Gateway Mobile Switching Center 12) when said service data is required; processing at least part of said characteristic data by said gateway to determine a

network location (See Fig. 1 and HLR 16) to access in order to obtain said service data (See col. 4 lines 54-63, col. 5 lines 31-34, and col. 5-6 lines 57-3), and a communication protocol (See Fig. 1 and MSC/VRL 14) for connecting to said network location (See col. 5-6 lines 57-17); and obtaining said service data and passing said service data to said switch to establish said call (See col. 4-5 lines 66-5 and col. 5 lines 35-41).

2. In regards to claims 2, 12, 21, and 24, Granberg discloses a call processing method and network system, including storing said service data in said gateway for subsequent requests for said service data (See col. 4 lines 54-63).

3. In regards to claims 3 and 13, Granberg discloses a call processing method and network system, including deleting said service data from said gateway after a predetermined period of time (See col. 3 lines 3-12).

4. In regards to claims 4 and 14, Granberg discloses a call processing method and network system, wherein said network location is in a central IN service data database (See Fig. 4 and service database 32) (See col. 6-7 lines 65-15).

5. In regards to claims 5 and 15, Granberg discloses a call processing method and network system, wherein said network location is in a local mobile network (See col. 4-5 lines 66-21 and col. 7 lines 16-36).

6. In regards to claims 6 and 16, Granberg discloses a call processing method and network system, wherein said network location is in a foreign telecommunications network (See col. 1 lines 38-41 and col. 3 lines 18-21).

7. In regards to claims 7 and 17, Granberg discloses a call processing method and network system, wherein said gateway is local to a user originating said call (See col. 4 lines 54-65).

8. In regards to claims 8 and 18, Granberg discloses a call processing method and network system, wherein said gateway includes visitor computer logic for obtaining and caching service data for users in the area of said gateway (See col. 4-5 lines 66-21).

9. In regards to claims 9 and 19, Granberg discloses a call processing method and network system, wherein said network location is within home computer logic including a central IN service data database (See col. 5 lines 22-34 and col. 6-7 lines 65-15).

10. In regards to claims 10 and 20, Granberg discloses a call processing method, wherein said communication call includes a voice, data, or messaging connection (See col. 6 lines 4-17).

11. In regards to claims 27 and 28, Granberg discloses a call processing method and network system, including: receiving a user initiated communication call (See col. 1 lines 27-50 and col. 4-5 lines 66-21); processing characteristic data associated with a communication call at a network switch (See Fig. 1 and Mobile Switching Center 14) to determine if intelligent network (IN) service data is required to establish said call (See col. 1-2 lines 51-2, col. 3 lines 22-42, and col. 8 lines 5-19); passing said characteristic data to a network service data gateway (See Fig. 1 and Gateway Mobile Switching Center 12) when said service data is required; processing at least part of said characteristic data by said gateway to determine a network location to access in order to obtain said service data, and a communication protocol for connecting to said

network location, wherein the network location is within Home IN (See Fig. 1 and HLR 16) computer logic including a central IN service data database (See col. 4 lines 54-63, col. 5 lines 31-34, and col. 5-6 lines 57-3); obtaining said service data and passing said service data to said switch to establish said call by using a Visitor IN (See Fig. 1 and VLR 15) computer logic; and caching the service data in the VIN (VLR) computer logic (See col. 5 lines 8-20 and col. 5-6 lines 57-3).

### ***Response to Arguments***

12. Applicant's arguments filed 07/27/05 have been fully considered but they are not persuasive. Applicant argues that in the system of Granberg there is no user initiated call. Examiner respectfully disagrees with this argument. Granberg does disclose a user initiated call (See col. 1 lines 27-50 and col. 4-5 lines 66-21). Applicant further argues that Granberg does not determine a communication pool. However, Granberg does disclose a communication pool (See Fig. 1 and MSC/VRL 14) for connecting to a network location (See col. 5-6 lines 57-17). Applicant states that the system of Granberg does not determine if intelligent network service data is required to establish a call. Examiner respectfully disagrees with this argument. The system of Granberg does determine if intelligent network service data is required to establish a call (See col. 1-2 lines 51-2, col. 3 lines 22-42, and col. 8 lines 5-19).

***Conclusion***

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

14. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P. Knowlin whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

16. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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17. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thjuan P. Knowlin

  
WILLIAM J. DEANE, JR.  
PRIMARY EXAMINER